

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 19-cv-2938 (SRN/LIB)

Lisa A. Biron,

Plaintiff,

v.

Michael Carvajal, Director, Federal Bureau
of Prisons; Warden Mistelle Starr; and
Deanna Hiller, Unit Manager;

Defendants.

**RESPONSE TO MOTION TO
SUBSTITUTE OFFICIAL
CAPACITY DEFENDANTS
WITH THEIR SUCCESSORS**

Defendants do not oppose Plaintiff's Motion to Substitute Official Capacity Defendants with their Successors. Such substitution is automatic pursuant to Federal Rule of Civil Procedure 25(d) and reflected in the caption above.

Plaintiff submitted a proposed amended complaint and redline with her Motion to Substitute Official Capacity Defendants with their Successors. *See* Docs. 68-1 & 68-2. By this Response, Defendants solely agree to the substitution of official capacity defendants in accordance with Rule 25(d). Defendants do not consent to Plaintiff's Motion to Amend. For the reasons stated in their Response to Plaintiff's Motion to

Amend, Doc. 61, and the Report and Recommendation, Doc. 67 at 21-28, Plaintiff's Motion to Amend should be denied.

Dated: September 2, 2020

ERICA H. MacDONALD
United States Attorney

s/ Andrew Tweeten

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